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VARIABLE ANNUITY LIFE INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-FILED - 4/3/07

VARIABLE ANNUITY LIFE INSURANCE
COMPANY,

Plaintiff,

v.

RICK BOYNTON and DOES 1 through 25,

Defendants,

AND RELATED COUNTER-CLAIMS.

CASE NO. C06-04477 RMW (PVT)

STIPULATION AND XXXXXXXXXXXXXX ORDER
REGARDING CASE MANAGEMENT
DATES

WHEREAS, under the current schedule, the last day for percipient witness discovery is
April 30, 2007;

WHEREAS, under the current schedule, the last day for the parties to exchange expert
witness disclosures is June 19, 2007;

STIPULATION AND XXXXXXXXXXXXXX ORDER REGARDING
CASE MANAGEMENT DATES

Case No. C06-04477 RMW (PVT)

1 WHEREAS, under the current schedule, the last day to hear dispositive motions is June 22,
2 2007;

3 WHEREAS, under the current schedule, the last day to exchange rebuttal expert witness
4 disclosures is July 19, 2007;

5 WHEREAS, under the current schedule, the last day for expert witness discovery is August
6 13, 2007;

7 WHEREAS, under the current schedule, the pretrial conference is to be held on September
8 6, 2007;

9 WHEREAS, under the current schedule, the trial is to be held beginning September 17,
10 2007;

11 WHEREAS, the parties wish to extend the discovery period by 60 days while they pursue
12 further ADR and settlement discussions, which will thereby affect each subsequent case
13 management date;

14 WHEREAS, in order to keep the case management dates in the same relative order, the
15 parties seek to push back all case management dates by 60 days;

16 WHEREAS, Plaintiff, on the one hand, and Defendant, on the other hand, are collectively
17 adverse, they agree through their respective counsel and stipulate as follows:

- 18
- 19 1. The last day for the parties to complete ADR will be May 31, 2007;
- 20 2. The last day for percipient witness discovery will now be June 29, 2007.
- 21 3. The last day for the parties to exchange expert disclosures will now be August 21,
- 22 2007.
- 23 4. The last day for the parties to exchange rebuttal expert disclosures will now be
- 24 September 20, 2007.
- 25 5. The last day to hear dispositive motions will now be August 24, 2007.
- 26 6. The last day for expert witness discovery will now be October 15, 2007.
- 27 7. The pretrial conference will now be November 15, 2007.
- 28 8. The trial date will now be November 26, 2007.

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IT IS SO STIPULATED.

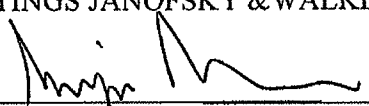
DATED: March 20, 2007

PAYNE & FEARS LLP

By: s/Stephen K. Robinson
JEROME SCHREIBSTEIN
STEPHEN K. ROBINSON
Attorneys for Defendant
RICK BOYNTON

DATED: March 20, 2007

PAUL HASTINGS JANOFFSKY & WALKER

By: s/ 
BRADFORD K. NEWMAN
SARJU A. NARAN
Attorneys for Plaintiff
VARIABLE ANNUITY LIFE
INSURANCE COMPANY

IT IS SO ORDERED.

DATED: 4/3, 2007

Ronald M. Whyte
THE HONORABLE RONALD M. WHYTE
UNITED STATES DISTRICT
COURT JUDGE